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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/526,105	03/15/2000	Raymond K. Jessup	247/129	9165

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EXAMINER
MIRZA, ADNAN M

ART UNIT	PAPER NUMBER
2145	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 December 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-16</u> is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-16</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some *   c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)   Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

2.   Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lohtia et al

(U.S. 2003/0211845) and further in view of Laursen et al (U.S. 6,233,608).

As per claims 1,14 Lohtia disclosed a method for sending local information from a wireless

handset to a web server comprising the following steps: (a) receiving a service request from a

user of tile wireless handset via a wireless data transmission passing through at least one wireless

base station (Page. 1, Paragraph 0004), wherein the service request comprises a type of local

information needed to carry out the service request: (b) acquiring the local information from the

wireless handset (Page. 4, Paragraph. 0032);

However Lohtia did not disclose in detail (c) sending the local information to the Web server via

uniform resource locator. Wherein the phone dialing process is modified to send the local

information as part of the uniform resource locator.

In the same field of endeavor Laursen disclosed the communication protocol in the Internet is the

well known Hyper Text Transfer Protocol or HTTP and runs on TCP and controls the connection

of a well-known Hyper Text Markup Language Web browser, or HTML Web browser, to a Web

server and the exchange of information there between (col. 6, lines 33-38). Each mobile phone is

assigned to device ID which can be a phone number of the phone or a combination of an IP

address and a port number for example: 204.163.165.132.01905 where 204.163.165.132 is the IP

address and 09105 is the port number (col. 7, lines 57-61). The screen prompts user what to

proceed with the keypad, with a sequence of keypad entries and through the phone, a user can interactively communicate with a server through the airnet, link server and the Internet (col. 9, lines 28-31).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated sending the local information to the Web server via uniform resource locator. Wherein the phone dialing process is modified to send the local information as part of the uniform resource locator as taught by Laursen in the method of Lohtia to make the system efficient in terms of communication with data network through wireless means.

3.   As per claim 2 Lohtia-Laursen disclosed wherein the service request received in step (a) also comprises the URL address of the Web server (Laursen, col. 3, lines 55-61).

4.   As per claims 3,12 Lohtia-Laursen disclosed wherein step (c) comprises extracting the URL address from the service request, appending the local information to the URL address, and navigating a wireless browser to the URL address (Laursen, col. 8, lines 32-39).

5.   As per claims 4,8 Lohtia-Laursen disclosed wherein the wireless browser is an HDML/WML browser (Laursen, col. 6, lines 38-48).

6.   As per claim 5,15 Lohtia-Laursen disclosed wherein the local information comprises the geographic location of the handset (Ludwig, col. 7, lines 59-67).

7.   As per claims 6,16 Lohtia-Laursen, disclosed wherein the geographic location is obtained from GPS data provided by a position determination system associated with the handset (Ludwig, col. 7, lines 36-57).

8.   As per claim 7 rejected under the same limitations as per claim 1 plus additional limitations where Lohtia-Laursen disclosed a method for using a wireless browser to send local information from a wireless handset to a Web server or to dial a telephone number comprising

the following steps: (a) receiving an input from a user of the wireless handset via a wireless data transmission passing through at least one wireless base station (Lohtia, Page. 1, Paragraph 0004), wherein the input comprises either a service request containing a type of local information needed to carry out the service request, or a telephone number to be dialed (Laursen, col. 7, lines 57-64); (b) determining whether the input comprises a service request or a telephone number (Laursen, col. 13, lines 40-50); (c) if the input is a telephone number, terminating the browser and dialing the telephone number (Laursen, col. 9, lines 4-19); and (d) if the input is a service request, acquiring the local information from the wireless handset and sending the local information to the Web server from the wireless handset via the uniform resource locator (Ludwig, col. 3, lines 42-46). Wherein the phone dialing process is modified to send the local information as part of the uniform resource locator (Laursen, col. 9, lines 28-31).

9.   As per claim 9 Lohtia-Laursen disclosed wherein in step (a), if the input is a telephone number, the telephone number is inserted into the NUMBER field following an HDML/WML CALL command, and if the input is a service request, the type of local information needed and the URL address of the Web server is inserted into the NUMBER field following the HDML/WML CALL command (Laursen, col. 6, lines 34-65).

10.   As per claim 10 Lohtia-Laursen disclosed wherein step (b) comprises determining whether the NUMBER field includes a local information type (Laursen, col. 7, lines 20-35).

11.   As per claim 11 Lohtia-Laursen disclosed wherein step (b) comprises determining whether the NUMBER field includes a URL address (Laursen, , col. 3, lines 24-31).

12.   As per claim 13 Lohtia disclosed wherein the local data comprises the GPS position of the handset (Page.4, Paragraph. 0034).

Response to Arguments

13.   Applicant's arguments filed 12/05/2006 have been fully considered but they are not

persuasive. Response to applicant's argument is as follows.

A.   Applicant argued that that there is no specific citation to Laursen or Lohtia (or any

citation, in general) to back up the statement that two references "make the system efficient" and

it is unsupported in the Present Office Action.

As to applicant's argument, Examiner considered the effectiveness of combining the two prior

art Laursen and Lohtia. Laursen disclosed, "there is therefore a great need for a method and

system for efficiently communicating desired transactions into a data network through which

transactions can be performed or pertinent information can be retrieved without the need to key

in such every time the transaction or the information are desired (col. 2, lines 28-32).

B.   Applicant argued that prior art did not disclose, "that information sending from a wireless

carrier as browser messages is the same as sending local information from a wireless handset to a

web server".

As to applicant's argument Lohita disclosed, "The information is then transmitted to the message

centre for the user's wireless service provides in step 207. In step 208, the message centre routes

the requested information to the MSC that is currently serving the user, and the serving the MSC

that is currently serving the user, and the serving MSC routes the SMS or microbrowser message

to the user's handset for display in 209 (Page. 4, Paragraph. 0031).

C.   Applicant argued that Lohita and Laursen does not fulfill the requirement to establish
prima facie case of obviousness.

In response to applicant's argument that there is no suggestion to combine the references, the
examiner recognizes that obviousness can only be established by combining or modifying the
teachings of the prior art to produce the claimed invention where there is some teaching,
suggestion, or motivation to do so found either in the references themselves or in the knowledge
generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5
USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).
In this case, Laursen in the method of Lohtia to make the system efficient in terms of
communication with data network through wireless means.

D.   Applicant argued that Lohita does not disclose "a method of sending local information
from wireless handset to web server"

As to applicant's argument Lohita discloses "wireless carriers can provide users with the
capability to originate inbound SMS or micro browser message that are directed to the user's
handset. By using a valid telephone number, wireless carriers can provide this capability without
modification of the Mobile Switching Center (MSC) Home Location Register (HLR) or service
Control Point (SCP) software". One ordinary skill in the art at the time of the invention also
interpreted that information sending from a wireless carrier as browser messages is same as
sending local information from a wireless handset to web server.

E.   Applicant argued that Laursen fails to disclose the sequence of steps of sending local
information from a wireless handset to a Web server via a uniform resource locator.

As to applicant's argument Laursen discloses, "The screen prompts user what to proceed with
the keypad, with a sequence of keypad entries and through the phone, a user can interactively
communicate with a server through the airnet, link server and the Internet (col. 9, lines 28-31)".

One ordinary skill in the art at the time of the invention interpret the link server also as web server.

F.   Applicant argued that prior failed to disclose receiving a service request from a user of the wireless handset, wherein the service request comprises a type of local information needed to carry out the service requests.

As to applicant's argument Laursen disclosed "it should be noted that server functions as a link server and a host server. The functional flowcharts on the client and server sides are cojointly described in the following with respect to a cellular phone (col. 13, lines 30-34). One ordinary skill in the art at the time of the invention interpret that server is define as a processor that process the service request and Laursen disclosed above that in terms of functioncality is same as the cellular phone or wireless handset.

Conclusion

14.   Any inquiry concerning this communication or earlier communication from the examiner should be directed to Adnan Mirza whose telephone number is (571)-272-3885.

15.   The examiner can normally be reached on Monday to Friday during normal business hours. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571)-272-3933. The fax for this group is (703)-
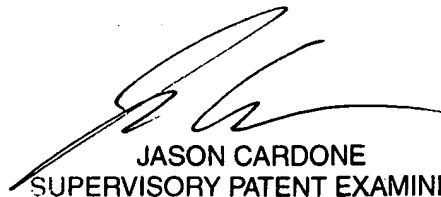
746-7239. The fax phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

16.   Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for un published

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at (866)-217-9197 (toll-free).

AM

Adnan Mirza

Examiner

JASON CARDONE
SUPERVISORY PATENT EXAMINER